

09/851,462

L-F/207US

Remarks

Applicant and the Examiner are in fundamental disagreement over the application of the prior art to the claims presented. Applicant will attempt here clearly articulate the flaws with the Examiner's rationale in applying the prior art, to hopefully streamline prosecution or at least clarify the issues for appeal.

The Examiner's applied references are Critchlow et al. and Kormos et al. Each will be discussed in turn.

Critchlow is a patent application claiming a priority date of 2001, directed to an injector for use in the shielded room of an MRI suite, i.e., Critchlow is directed to the same type of device that is the subject of the present application. Critchlow actually discloses a third-generation injector of this type, the first generation being that shown in U.S. Patent 5,494,036 which was filed in 1993 and issued in 1996, and the second generation being application 09/586,140 filed June 2, 2000, both of which are owned by the same assignee as the Critchlow application. The prior devices of the '036 patent and '140 patent application are noted and paragraph 0038 of the Critchlow specification and there are also mentions in paragraphs 0009 and 0047.

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Those two prior generation devices, and the device that is shown in the Critchlow specification, use a battery pack (135 in Critchlow's drawings) to power the injector, and provide control signals to the injector over radio, fiber optic and/or infrared connections. As noted in paragraph 0038 of Critchlow, the control connection is "typically ... by way of a fiber optic cable 140 which passes through a tuned port 142 in the wall 144 between the scan room 115 and the control room and provides a

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